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8 UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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11 VERDELL MARTIN,
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13 Petitioner,
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15 v.
16 PEOPLE OF THE STATE OF
CALIFORNIA,
Respondent.

No. 2:21-cv-02121-TLN-CKD

ORDER

17 Petitioner, a state prisoner proceeding *pro se*, has filed an application for a writ of habeas
18 corpus pursuant to 28 U.S.C. § 2254. The matter was referred to a United States Magistrate
19 Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

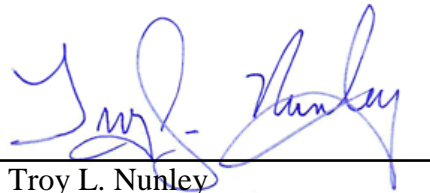
20 On April 15, 2022, the magistrate judge filed findings and recommendations herein which
21 were served on Petitioner and which contained notice to Petitioner that any objections to the
22 findings and recommendations were to be filed within fourteen days. (ECF No. 14.) Petitioner
23 has not filed objections to the findings and recommendations.

24 The Court presumes that any findings of fact are correct. *See Orand v. United States*, 602
25 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed *de novo*.
26 *See Britt v. Simi Valley Unified School Dist.*, 708 F.2d 452, 454 (9th Cir. 1983). Having reviewed
27 the file, the Court finds the findings and recommendations to be supported by the record and by
28 the magistrate judge's analysis.

Accordingly, IT IS HEREBY ORDERED that:

1. The Findings and Recommendations filed April 15, 2022, (ECF No. 14), are adopted in full;
2. This action is DISMISSED without prejudice; and
3. The Court declines to issue the Certificate of Appealability referenced in 28 U.S.C. § 2253.

DATE: July 6, 2022



Troy L. Nunley
United States District Judge